

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION**

In re:

GREGORY MARCELLUS  
KATHERINE MARCELLUS

Debtors

\*  
\*  
\* BANKRUPTCY NO. 17-60419  
\*  
\*  
\* CHAPTER 13

**RESPONSE IN OPPOSITION**

COME NOW, Gregory and Katherine Marcellus (the “Debtors”), by and through undersigned counsel, and submits their response in opposition to First Guaranty Mortgage Corporation’s (“Creditor”) Notice of Default. Debtors aver that they made several payments to Creditor that were not properly applied and request an accounting from Creditor with a hearing before this Court.

WHEREFORE, the Debtors move the Court for relief as follows:

- A. An Order instructing Creditor provide an accounting and/or payment history for Debtors’ account;
- B. A hearing date to be determined by this Court; and
- C. Such other and further relief as the Court may deem just and proper.

Respectfully submitted this 27<sup>th</sup> day of September 2019,

**/s/ Jeremy C. Huang**  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 27<sup>th</sup> day of September 2019, a copy of the foregoing Response was served via first class mail, postage prepaid, and/or the Court's Electronic Court Filing system upon the Chapter 13 Trustee and the following parties:

Kevin Hildebeidel  
Amy Czekala  
Stern & Eisenberg  
9920 Franklin Square Drive, Suite 100  
Baltimore, MD 21236  
*Attorney(s) for the Creditor*

**/s/ Jeremy C. Huang**